



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

HAGBERG et al.

Art Unit: 1634

Application No.: 09/856,470

Examiner: J. Einsmann

Filed: August 16, 2001

Attorney Dkt. No.: 108172-00071

For: GENETIC MARKERS WHICH IDENTIFY INDIVIDUALS WHO IMPROVE THEIR  
CHOLESTEROL LEVELS AND DIABETES STATUS WITH EXERCISE

**AMENDMENT UNDER 37 CFR 1.111**

Commissioner for Patents  
Washington, D.C. 20231

Date: April 7, 2003

Sir:

In reply to the Office Action dated November 6, 2002, a Petition for a Two Month Extension of Time being attached hereto, the following Remarks and Amendments are submitted as a full and complete Response thereto.

**IN THE CLAIMS:**

Please cancel Claims 1 and 3 without prejudice and please amend Claims 2 and 4 in the following fashion:

2. A method of improving cholesterol levels in a subject in need of such improvement, the method comprising:

identifying a subject with hypercholesteremia or at risk of developing hypercholesteremia having a "12" genotype for the second exon of the myostatin gene, wherein the subject is in need of improved cholesterol levels; and